

**DRAFT**

Exhibit "B" - SURETY AGREEMENT  
BOARD CONTRACT

Permit Number M/027/008  
Expiration Date

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
355 West North Temple  
3 Triad Center, Suite 350  
(801) 538-5340

BOARD CONTRACT  
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Crystal Peak Minerals Corporation, a Utah corporation, (Operator), hereby binds itself, its successors and assigns unto the State of Utah, Board of Oil, Gas and Mining (Board), in the penal sum of Fifty-Nine Thousand Dollars (\$59,000.00) (BOND), and agrees to be held and firmly bound thereunder by the following terms and conditions:

1. The Board finds Operator has not been in default of or in non-compliance with Federal and State statutes and regulations pertaining to its operations in the State of Utah; and
2. Operator agrees that it will comply, or continue to comply, with all Federal and State statutes and regulations pertaining to its operations in the State of Utah; and
3. Operator asserts its net worth is not less than five times the amount of the BOND (as shown by the attached financial statement) and it will maintain such ratio throughout the term of the Reclamation Contract to which this Board Contract is attached as Exhibit "B"; and

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4. The terms of this Board Contract and the conditions for release or adjustment of this BOND are as written and agreed to by the Division of Oil, Gas and Mining and the Operator in the Reclamation Contract to which this Board Contract is attached as Exhibit "B".

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1989.

FOR the State of Utah  
Board of Oil, Gas and Mining:

\_\_\_\_\_  
Board Chairman

FOR the Operator: CRYSTAL PEAK MINERALS CORPORATION

By: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Assistant Attorney General

NOTE: An affidavit of Qualification must be completed and attached to this form for each authorized agent or officer.

NOTE: Where one signs by virtue of Power of Attorney for a company, such Power of Attorney must be filed with this Agreement. If the principal is a corporation, the Agreement shall be executed by its duly authorized officer.

**DRAFT**

**CERTIFICATE OF RESOLUTIONS AND INCUMBENCY**

I, the undersigned Secretary of Crystal Peak Minerals Corporation, a Utah corporation (herein called the "Corporation"), do hereby certify that the following persons at all relevant times were and are duly elected to the positions listed next to their respective names, were and are qualified to hold those positions, and were and are fully authorized and empowered to execute the instruments and to act for and bind the Corporation for the purposes stated in the Resolutions, and each of those persons now hold that position:

Mark E. Kuebler  
William V.H. Clarke  
Gerald S. Seay

President  
Senior Executive Vice President  
Vice President

I am authorized to execute and deliver this certificate on behalf of Crystal Peak Minerals Corporation.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 1989

\_\_\_\_\_  
Secretary

STATE OF TEXAS     )  
                              :ss.  
COUNTY OF HARRIS )

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, Secretary of Crystal Peak Minerals Corporation, a Utah corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of Crystal Peak Minerals Corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON this the \_\_\_\_\_ day of \_\_\_\_\_, 1989.

\_\_\_\_\_  
Notary Public  
Residing at: \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_